

**District III Advisory Board Minutes**  
**April 1, 2009**  
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The District III Advisory Board meeting was held at 7 p.m. at the Wichita Water Center at 101 E Pawnee. Seven District Advisory Board members were in attendance; approximately 10 City staff and 12 members of the public were present.

**Members Present**

Teresa Cook  
Charlotte Foster  
Jim Gulick  
DeWayne Kitchen  
Dustin Richey  
Billie Tucker  
Bill Ward  
Council Member Jim Skelton

**Members Absent**

Judy Dillard  
Joann Hartig  
John Kemp

**Staff Present**

Battalion Chief Ernie Schuler, WFD  
Derrick Slocum, Planning  
Mark Stanberry, Housing and Community Services  
Officer David Hinnners, Patrol East  
Officer Dwain Diehl, Patrol South  
Steve Vail, WFD  
Matt Barthelmew, WFD  
Ken Ast, WFD  
Darren Matthews, WFD  
Janet Johnson, Neighborhood Services

**Guests**

Listed on the last page

**ORDER OF BUSINESS**

At 7:05 p.m. **Council Member Jim Skelton** called the meeting to order. The meeting minutes from March 4, 2009, were approved **7-0**.

**PUBLIC AGENDA**

**Scheduled items**

No items

**Non-Scheduled items**

No items

**STAFF REPORTS**

**Community Police Report**

**Officer David Hinnners, 35 Beat Patrol East**, reported that Patrol East has been doing a number of club checks in conjunction with Alcohol, Beverage Control and McConnell AFB detectives. He said they have done three big special assignments. There were some business burglaries occurring in the 33 and 34 beats, but a suspect has been apprehended.

**Officer Dwain Diehl, 24 Beat Patrol South**, reported Patrol South is working morals stings again and arrested around 20 people during two special projects. He also reported work on Mt. Vernon is

coming along nicely, but a few people are complaining that they can no longer park on the street due to the new bike lane.

### **Wichita Fire Department Report**

**Battalion Chief Ernie Schuler** reported WFD worked three significant fires in the area last month including: 1441 S. Market, 5135 S. Hydraulic and 5472 S. Kansas. Construction is moving ahead on the new Station 22; the City is considering putting in a traffic signal in order to expedite the trucks leaving the station.

**Charlotte Foster** wanted to know about the fire reported today. **Chief Schuler** said it was a church fire in the area of 47<sup>th</sup> and Victoria and they believe it was caused by a heating element.

**Action: Receive and file.**

## **NEW BUSINESS**

### **Request for Resolution of Support for Application for Housing Tax Credits (Battin Apartments)**

**Mark Stanberry, Housing and Community Services**, will present a proposal by ULC-Farha Joint Venture, LLC (ULC) that involves the acquisition and renovation of the Battin Apartments, which are located at 1700 S. Elpyco. The apartment complex currently offers 208 one-bedroom apartments. The scope of work proposed by ULC involves comprehensive rehabilitation and conversion of the existing apartments in order to provide 104 three-bedroom, two-bath units, of approximately 1,150 square feet in size. ULC will retain the existing brick exterior on each of the buildings, and will make the necessary repairs to ensure long-term viability. Project amenities will include in-unit washer/dryer hook-ups, swimming pool, playgrounds, a clubhouse with a community room and safe room, an on-site management office, storage units, and the availability of wireless internet service.

**Ted Farha** of Farha Construction is the applicant and he explained there are currently 28 buildings with eight one-bedroom units and they are proposing to remodel the apartments so there would be four three-bedroom units in each building. He said the apartments currently have a lot of issues including mold, etc.

**Council Member Skelton** asked if they plan to replace the windows. **Farha** said they would like to, but since the buildings are more than 50 years old, it will be up to the Historical Preservation people to decide if that would be allowed. He said they plan to install high efficiency heating and cooling units and they have \$100,000 budgeted to replace the sidewalks.

**Billie Tucker** asked how many of the units would be Section 8 properties. **Farha** said none.

**Teresa Cook** asked if automatic fire sprinklers would be installed. **Stanberry** said they would not be required because there will only be four units per building.

**Charlotte Foster** said she still had concerns about the windows. **Farha** said if they are not allowed to replace the windows, they will spend just as much money re-habbing them as they would have replacing them. **Foster** wanted to know if they have purchased the property yet. **Farha** said no.

**Elena Ingle, 3608 Meadow Lane**, asked **Farha** where he got his information regarding the windows. She said she sits on the Historic Preservation Board and she doesn't believe replacing the windows will be an issue.

**Dave Robbins, 920 Silverdale Ct.**, asked how many of the units will be ADA compliant. **Farha** said none, that Historic guidelines for properties supersede ADA requirements.

**Harold Childress, 2975 Evans**, asked **Farha** if they would like public support on the windows issue.

**Charlotte Foster** said she hoped she would be happier with the end result of these apartments than she was with the ones on Lincoln.

**Recommended Action:** It was recommended that the District Advisory Board approve the recommendation for adoption of the resolution of support for the Housing Tax Credit Application, subject to further review, in accordance with the City of Wichita's Housing Tax Credit Policy.

**Teresa Cook (Gulick) made a motion to approve staff's recommendation to support the Housing Tax Credit Application.**

**Action: Motion passed 7-0.**

**ZON2009-00008 Generally located northeast of the intersection of K-15 and 31<sup>st</sup> Street South (2822 E. 31<sup>st</sup> Street South)**

**Derrick Slocum, Metropolitan Area Planning Department**, presented an application for an area that is located northeast corner of 31<sup>st</sup> Street South and K-15, and is currently zoned LC Limited Commercial ("LC") and the applicant is requesting the property be rezoned to GC General Commercial ("GC"). Access to the site is off of 31<sup>st</sup> Street South. The site currently classified as being developed with an automobile service garage with a paint shop. The use of the site as an automobile service garage is a legal activity in the LC district, per the Unified Zoning Code ("UZC"); however, the use of the paint shop for detailing and vehicle body work is not permitted in the LC zoned district. This site has been used for automobile related uses over the years. The applicant has applied for the rezone to bring the site into conformance with the uses currently operating on the site. Staff recommends that a Protective Overlay ("PO") be included with this zone change to limit the uses allowed on this site. The proposed PO will exclude all uses within the GC zone district except vehicle repair, general. The PO will also have the applicant remove all inoperable vehicles from the property and require that any vehicles waiting for repair be screened from ground view from 31<sup>st</sup> Street South and from adjoining and adjacent properties.

**Slocum** said the current tenant has been doing paint and body work, but was told by OCI to cease until the zoning change was approved.

**Jim Gulick** asked if the tenant was issued a citation. **Slocum** said not that he was aware of. **Gulick** said he found it distressing that someone is found violating the zoning ordinance and the City doesn't cite them, fine them or slap their hands. They just change the rules so that they are no longer in violation.

**Charlotte Foster** asked for clarification that the tenant has been painting for a while. **Slocum** said yes.

**Teresa Cook** wanted to know how long he has been doing this, and did he know he was in violation of the zoning ordinance. **Slocum** said he does not believe the tenant knew he was in violation of City ordinance.

**Council Member Skelton** pointed out when making decisions concerning zoning, it's important to consider the Golden Rules of Zoning.

**Charlotte Foster** wanted to know if the tenant has a paint booth. **Slocum** said he believed he does.

**Harold Childress, 2975 Evans**, said the applicant approached the Neighborhood Association a few months ago and he didn't know he was in violation and he has a paint booth. **Childress** said the Association was okay with the zoning change.

**Jim Gulick** said he's not opposed to the zoning change – that wasn't the point. His point was that we simply change the rules in order to prevent businesses from being out of compliance.

**Elena Ingle, 3608 Meadow Lane**, asked why they have to change the zoning, why can't they just do a protective overlay under the current LC zoning? **Slocum** said that's not possible.

**Recommended Action:** Based upon information available prior to the public hearings, planning staff recommends that the request be approved, subject to the provisions of a protective overlay.

**Jim Gulick (Tucker)** moved that the board approve the zoning change with the protective overlay.

**Action: Motion passed 7-0.**

## **BOARD AGENDA**

### **Updates, Issues and Reports**

**Council Member Skelton** passed around a copy of the City newsletter that included a photograph of DAB 3 members visiting with City Manager Bob Layton.

**Billie Tucker** announced the Hilltop clean up is scheduled for April 11.

**Dewayne Kitchen** said he heard there was stimulus money for neighborhood revitalization and he hopes some of it can be used in Planeview.

**Jim Gulick** said on May 2<sup>nd</sup>, the Hazardous Waste Truck will be in the Grandview Heights neighborhood and other areas are encouraged to bring their hazardous waste items for disposal.

**Teresa Cook** brought a printout from the Love Wichita website for everyone to look at.

**Charlotte Foster** reported City Manager Bob Layton presented at the Shepherd Center.

**Action: Receive and file.**

**Meeting was adjourned.**

The next regularly scheduled meeting for District Advisory Board III will be held at 7 p.m., May 6, 2009, at the Water Center at 101 E. Pawnee.

Respectfully submitted,

Janet Johnson, Neighborhood Assistant – District III

**Guests**

Elena Ingle	3608 Meadow Lane
Bill Barnes	2707 S. Hillside
Goldie Barnes	2707 S. Hillside
Tom Strickland	1302 Galena
Betty Strickland	1302 Galena
David Robbins	920 Silverdale Ct.
Claudia Lee	2826 Greenwood
Lynda Novotny	1209 Jump
Donna Thorton	2714 Southfork
Harold Childress	2975 Evans
David Robbins	920 Silverdale Ct.
Ted Farha	64 Stratford